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Paper No. 15

In re Application of
Joel F. Plotkin
Application No. 09/513,960
Filed: February 28, 2000
Attorney Docket No.: EJOU0010U/US
For: PROCESS FOR COMPUTER
IMPLEMENTED MANUSCRIPT REVIEW :

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600**

:
: **DECISION ON PETITION**
: **REGARDING REFUSAL TO**
: **ADMIT AMENDEMENT UNDER**
: **37 CFR 1.181**

Applicant's petition under 37 C.F.R. 1.181 filed February 10, 2004 in application Serial No. 09/513,960, requests to reinstate the amendment filed on August 22, 2003.

The petition is **GRANTED**.

A petition under 37 CFR 1.181 must include: (1) a statement of facts involved and (2) the point or points to be reviewed and the action requested. There is no fee required for a 1.181 petition.

The petition filed on February 10, 2004, included both elements (1) and (2) above. The applicant also filed a revised appeal brief in response to the notice of defective brief mailed on January 13, 2004. The amendment filed on August 22, 2003 under 37 CFR 1.111 was in response to a second non-final office action mailed on May 7, 2003. Since the amendment filed on August 22, 2003 was timely filed in response to a non-final office action it should have been entered as a matter of right under 37 CFR 1.111. Therefore, the notice of defective appeal brief mailed on January 13, 2004 indicating that appellant's appeal brief is defective because it included amended versions of claims, which were not previously entered, was in error and is hereby withdrawn.

The application has been forwarded to the Examiner to consider the amendment and appeal brief filed on August 22, 2003.

Any questions concerning his decision should be directed to Supervisory Patent Examiner John Weiss at (703) 308-2702

SUMMARY: The petition is GRANTED.



John Love, Director
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SNM/jgw: 7/26/04

SM